UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

In Re:)	
)	
AREDIA® AND ZOMETA® PRODUCTS)	
LIABILITY LITIGATION)	
)	No. 3:06-MD-1760
(MDL No. 1760))	Judge Campbell/Brown
)	8 1
This Document Relates to:)	
Collins, 3:07-00043)	

ORDER

Defendant Novartis Pharmaceuticals Corporation (NPC) filed a suggestion of death on August 16, 2013, indicating that plaintiff Roy Collins died on September 4, 2011. (MDL Doc. 6909; Related Case 17)

Counsel for the late Mr. Collins filed a motion on November 14, 2013 to substitute provisionally the late Mr. Collins' wife, Carol Collins, as the plaintiff in this case. (MDL Doc. 7135; Related Case 18) Counsel provides the following assurances with respect to the motion for provisional substitution:

As soon as practicable after it is available, and prior to remand, Carol Collins shall provide the Court with a copy of the Order(s) or other legal authority giving her the power to act on behalf of the decedent.

(MDL Doc. 7135, ¶ 6; Related Case 18) NPC has not objected to the motion, and the time for it to do so has passed.

Plaintiff's motion for provisional substitution (MDL Doc. 7135; Related Case 18) is **GRANTED IN PART**. Plaintiff shall comply with 30-day requirement in ¶ V.C.2 of the Case Management Order (CMO) (MDL Doc. 89). Specifically, plaintiff either shall open the late Mr. Collins' estate within thirty days of the date of entry of this order, or provide law and argument showing why opening the estate is not required under Oklahoma law. Plaintiff shall comply in all

other respects with \P V of the CMO. Plaintiff is forewarned that failure to comply with the CMO

and this order may result in a recommendation that this case be dismissed and/or sanctions imposed.

No extensions of time will be granted absent good cause shown, and without the express, prior

permission of the court.

It is so **ORDERED**.

ENTERED this the 11th day of December, 2013.

/s/Joe B. Brown

Joe B. Brown

United States Magistrate Judge

2